



**THE CITY OF NEW YORK  
LAW DEPARTMENT**

**HON. SYLVIA O. HINDS-RADIX**

*Corporation Counsel*

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June 27, 2022

**Via ECF**

Honorable Katherine Polk Failla  
United States District Judge  
Southern District of New York  
40 Centre Street  
New York, New York 10007

**MEMO ENDORSED**

Re: Grigoriy Zagerson v. New York City Department of Education and  
Bernadette Toomey  
20-cv-11055 (KPF) (RWL)

Dear Judge Failla:

I am an Assistant Corporation Counsel in the Office of Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York assigned to represent Defendants, New York City Department of Education (“DOE”) and Bernadette Toomey, (collectively, the “Defendants”).

I write this joint letter motion on behalf of both parties to respectfully request that the Court extend the deadline for fact discovery from June 30, 2022 and the deadline for depositions from August 14, 2022 to September 30, 2022 for both fact discovery and depositions. This is the first request for an extension of the time to complete discovery. The parties have exchanged discovery requests and are in the process of compiling responses. This extension is also requested in order for the parties to complete e-discovery. Additionally, the parties have reconsidered and no longer intend to use experts, which will obviate the need for expert discovery, which had been scheduled to end on August 14, 2022.

The parties also request that the pretrial conference set for July 8, 2022, be extended to a date after the completion of discovery that is convenient to the Court.

We thank the Court for consideration of this request.

Respectfully submitted,  
By: /s/ Lauren A. Rosenfeld  
Lauren A. Rosenfeld  
Assistant Corporation Counsel

cc: **Via ECF**

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Application GRANTED. The period for all fact discovery shall be extended to September 30, 2022. The Court does not anticipate granting any further extensions of the discovery schedule.

Relatedly, the post-fact discovery conference presently scheduled for July 8, 2022, is hereby ADJOURNED to **October 5, 2022, at 3:30 p.m.**, in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York.

The Clerk of Court is directed to terminate the pending motion at docket entry 41.

Dated: June 28, 2022  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE